

REMARKS

The present invention is in the environment of security systems for computer-based information processing apparatus that can employ numerous operators to enter or delete information. As noted in our recitation of prior art, such systems have granted access rights to certain operations by operators while limiting other necessary operations that can be performed within the computer system. In such an environment, working terminals may be accessed by a number of different operators and ideally should not require each of the individual operators to log in, log out and restart the application programs to provide efficiencies in programs having a high traffic of use requiring constant entries of data.

Our present invention enables an operator change to occur without necessarily restarting a program and the visibility of specific display items that are to be controlled at different levels of security access to be efficiently enabled.

We permit an operator to utilize a simple procedure in which specific display items that are restricted to the operator currently using the program can be rendered invisible and an operator that has taken over the terminal with a lower level of security access will have the displayed items on the screen rendered invisible.

As noted on Page 5, Lines 9-12, the following advantages can be easily realized:

Thus, an operator change can be managed speedily and securely, not only in the case where available functions increase but also in the case where available functions decrease.

As can be readily appreciated, relatively expensive application programs need not be terminated upon a shift change, or even a change from one operator to another operator, that the

authentication of the specific operator and his/her security level will enable the specific access functions to be readily available with a minimal loss of production time.

“Thus when differences that may appear technologically minor nonetheless have a practical impact, particularly in a crowded field, the decision-maker must consider the obviousness of the new structure in this light.”

Continental Can Co. USA Inc. v. Monsanto Co., 20 U.S.P.Q. 2d. 1746, 1752 (Fed. Cir. 1991).

Applicant appreciates the comments of the Examiner with regards to 35 U.S.C. §101 issues. These issues, however, are believed to be mooted by the submission of the newly drafted Claims 21-25.

The Office Action rejected Claims 1-13 and 16-20 as being anticipated by *Emmerichs* (U.S. Patent Publication 2003/0061482) under 35 U.S.C. §102.

“[T]he dispositive question regarding anticipation is whether one skilled in the art would reasonably understand or infer from the prior art reference’s teaching that every claim [limitation] was disclosed in that single reference.’ *Dayco Prods., Inc. v. Total Containment, Inc.*, F.3d 1358, 1368 (Fed. Cir. 2003).

The *Emmerichs* reference provided a security control system that addressed problems of updating the security controls that must be redesigned to implement future security control changes that may be required by the customer. Purportedly, problems of modifying installed software to implement future required changes in the customer security is the prime goal and teaching of this reference as noted in Paragraph 0008 as follows:

Accordingly, a need exists for a method and apparatus for implementing changes in security controls and programming new security controls into existing customer software without changing the customer software itself.

Thus, the purpose of the *Emmerichs* reference was to provide a customer computer security system based on modules of software components that are described as widgets, user

profiles, relationships, and data element values that the *Emmerichs* collectively defines as a "security configuration file" that can be stored on a server. A security repository module can deliver the security configuration files to each user's workstation when the user logs on to the workstation with an appropriate user identification. See Paragraph 0034.

As noted in Paragraph 0050, during the operation of the security software, certain data element values may change and an access security module can, therefore, update internal tables including the current available values for each widget description. Thus, purportedly changes can be instigated while the software is in use.

To address this issue, however, *Emmerichs* provides a message system that can provide a message, for example across a GUI button, that it cannot be activated, if the operator using the system does not have appropriate security clearance, as noted in Paragraph 0054 and as described as follows in Paragraph 0055:

In general, the user can continue to attempt to access the widgets 26, until the user has finished the current session. Once the user has finished the current session, the user can log off of the workstation 14. The software security system 100 determines (at 242) whether the user has logged off of the workstation 14. If the user has not logged off of the workstation 14, the customer software 24 again determines (at 228) whether one or more data element values 312 have been changed. If the user has logged off, the security configuration files and the generated tables are removed and erased from memory within the access security module 28.

Thus, while the security controls for the customer software can be changed during a program operation through the ability to change the data element values in the design of the software, it still requires a user to log off the work station, with the changes being implemented when the work station is again activated and a log on by an appropriate operator, as noted in Paragraph 0056 as follows:

However, the new security controls are generally not implemented for the specific user until the user logs off of the workstation 14 and then logs back on (at 214) to any workstation 14 within the customer computer system 10. Once the user logs back on (at 214) to any workstation 14 within the customer computer system 10, the server 12 transmits the new data element values 312 from the security repository module 16 to the access security module 28. The access security module 28 recalculates the tables describing the current availability of each widget 26. Once the access security module 28 recalculates the tables describing the availability of each widget 26 and the customer software 24 transmits the question as to whether the widget 26 is available to the user, the updated tables in the access security module 28 will reflect the most recent changes in the security controls. Thus, all the access security module 28 decisions are based on the tables downloaded when the user logs on (at 214) to the workstation 14, and by the data element values 312 stored within the security repository module 16.

Reference can be made to newly drafted Claim 21 which defines a switching operation acquisition unit configured to acquire simultaneous pressing of a plurality of keys from a current operator in a state where the acquired information is visible on the display screen. The display change unit, configured to respond to the simultaneous pressing of a plurality of keys, is activated so that a specific item group can disappear from the display form and a second display capable of only displaying non-specific item groups is implemented without changing the position of each item of the non-specific item group.

Thus, by simply activating certain keys a shift in operators can occur without requiring the logging off and downtime associated with accommodating a new operator at a different security level. These features are set forth in each of the independent Claims 21, 24 and 25 and provide an advantage that cannot be found nor taught in the *Emmerichs* reference.

As noted above, the *Emmerichs* reference provides a specific user dedicated screen that is composed upon logging on after the application program has been turned off. Thus, *Emmerichs* permits by the module software approach of design, implementing changes when, for example

individual screens can be denied access to certain portions or buttons of the screen, but the screen per se is not reconfigured until after the program is shut down and a new user logs on.

Our present invention provides a plurality of keys that can be pressed simultaneously so that a screen, that is dedicated to a user who knows the combination of the plurality of the keys, is displayed.

In the present invention, when a plurality of predetermined keys are pressed simultaneously during a state where a "non-specific item group" is displayed and "specific item group" is not displayed, the screen is changed to a predetermined screen in which the "specific item group" is additionally displayed while contents of the input display item for the "non-specific item group" remain to be displayed. This is supported by the following description of the specification at Page 21, Lines 7-17:

"In response to the CTRL+ALT+PHI event, the display change unit 32 performs the display change operation on the inspection result input form shown in FIG. 5A. Which is to say, the display change unit 32 makes the text data "supervisor's comment," the supervisor's comment field, and the approval button appear on the screen. While doing so, the input application data (the inspection result data input by the inspector in this example) remains on the screen (S14). As a result, the inspection result input form is changed to a form image such as the one shown in FIG. 5B."

It is also possible to delete a "specific item group" when the plurality of keys, the same ones used to cause the "specific item group" to be displayed, are pressed simultaneously during a state where the "specific item group" is displayed.

Compared with *Emmerichs* in which, to display a screen dedicated to a user, the user at least needs to log in at a workstation by inputting a user ID and a password and restart the program, the present invention has an advantageous effect that the screens can be changed easily.

The present invention enables screens dedicated to a plurality of operators to be changed quickly. Thus, there may be a case where two operators share a system terminal at work. In such a case, with the structure of the present invention, the operators can perform the work quickly and smoothly. This produces an advantageous effect of improving the overall system efficiency. This is supported by the following description (our specification, Page 2, Lines 18-22):

"In view of the above problems, the present invention aims to provide an information processing apparatus with which shift operations required at the time of an operator change can be reduced to thereby improve overall system efficiency."

For the reasons stated above, the cited *Emmerichs* reference neither discloses nor suggests the structure of the present claimed invention where the "specific item group" is additionally displayed or deleted on/from the screen when a plurality of predetermined keys are pressed simultaneously.

In summary, this is a relatively crowded field and advances that create an economic advantage and improvement in efficiency in such an environment should be taken into consideration in determining patentability. When utilizing an anticipatory reference, such a reference must teach each of the features that are set forth in the current claims. A person of ordinary skill in this field reviewing the teaching of the *Emmerichs* reference, would actually be taught away from the advantages achieved in the present invention in order to accommodate the modular software approach proposed in the *Emmerichs* reference to implement changes in security controls without necessarily changing the customer software itself for established software installations.

Such changes were implemented by logging off and shutting down the computer system which would teach away from the present advantageous features of our claims.

"A reference may be said to teach away when a person of ordinary skill, upon reading the reference, would be discouraged from following the path set out in the reference, or would be led in a direction divergent from the path that was taken by the applicant." *In re Gurley*, 27 F.3d 551, 553 (Fed. Cir. 1994); see *KSR*, 127 S. Ct. at 1739-40 (explaining that when the prior art teaches away from a combination, that combination is more likely to be nonobvious). Additionally, a reference may teach away from a use when that use would render the result inoperable. *McGinley v. Franklin Sports, Inc.*, 262 F.3d 1339, 1354 (Fed. Cir. 2001).

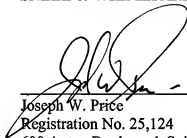
In re Icon Health and Fitness, Inc. 2007 U.S. App. Lexis 18244,
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It is believed that the present application is now in condition for allowance and an early notification of the same is requested.

If the Examiner believes a telephone interview will help further the prosecution of this matter, the undersigned attorney can be contacted at the listed phone number.

Very truly yours,

SNELL & WILMER L.L.P.



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